

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA


In the Matter of the Accusation)
Against:)
) NO. D-2849
TERRANCE CHAMBERLAIN, M.D.)
Certificate No. C-28469)
)
Respondent)
_____)

DECISION

The attached Stipulation is hereby adopted by the
Division of Medical Quality of the Board of Medical Quality Assurance
as its Decision in the above-entitled matter.

This Decision shall become effective on May 9, 1983.
IT IS SO ORDERED April 7, 1983.

DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE


MILLER MEDEARIS
Secretary-Treasurer

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 DAVID M. GALIE
Deputy Attorney General
3 6000 State Building
San Francisco, California 94102
4 Telephone: (415) 557-0752

5 Attorneys for Complainant
6
7

8 BEFORE THE
9 BOARD OF MEDICAL QUALITY ASSURANCE
10 DIVISION OF MEDICAL QUALITY
11 STATE OF CALIFORNIA

12 In the Matter of the Accusation)
13 Against:)
14 TERRANCE CHAMBERLAIN, M.D.) No. D-2849
1602 Urbanket Court, Apt. #1) STIPULATION
15 Cooperas Cove, Texas 76522)
License No. C-028469)
16 Respondent.)
17 _____)

18 IT IS HEREBY STIPULATED BY AND BETWEEN Terrance
19 Chamberlain, M.D. (hereinafter "respondent") and his attorney
20 Kenneth L. Freeman, Esq. and the Division of Medical Quality
21 (hereinafter "Division") by and through its attorney David M.
22 Galie, Deputy Attorney General as follows:

- 23 1. That Accusation and Supplemental Accusation
24 No. D-2849 is presently pending before the Division.
25 2. That respondent is represented by Kenneth L.
26 Freeman, Esq.

27 //

1 3. That respondent understands the nature of the
2 charges and allegations in Accusation No. D-2849 and has had
3 them explained to him by his attorney.

4 4. That respondent is fully aware of and has had
5 explained to him by his attorney his right to a hearing on the
6 charges and allegations in Accusation and Supplemental Accusation
7 No. D-2849; his right to reconsideration, to appeal, and any
8 and all other rights which may be accorded to him under the
9 California Administrative Procedure Act and the laws of the
10 State of California as they may relate to Accusation and
11 Supplemental Accusation No. D-2849.

12 5. That respondent fully and voluntarily and after
13 consultation with his attorney waives his right to a hearing,
14 reconsideration and appeal and any and all other rights which
15 may be accorded to him under the California Administrative
16 Procedure Act and the laws of the State of California as they
17 may relate to Accusation and Supplemental Accusation No. D-2849,
18 except respondent does not waive and specifically retains his
19 right to petition for termination or modification of probation.

20 6. Respondent admits that during his professional
21 psychiatric relationship with patient L.R., he engaged in
22 sexual intercourse with her on two occasions. Respondent admits
23 that this conduct constitutes grounds for discipline under
24 section 2334(b) (formerly section 2361(b)) of the Business and
25 Professions Code.

26 7. Respondent admits that on or about July 7, 1982
27 in the Sonoma County Municipal Court for the State of California,

1 Case No. 91055, he pled guilty to and was convicted of five (5)
2 counts of a misdemeanor violation of section 72 of the Penal
3 Code. Respondent admits that this conduct constitutes grounds
4 for discipline under section 2236(a) of the Business and
5 Professions Code.

6 8. Based on the foregoing recitals and stipulations,
7 it is further stipulated and agreed that the Division may issue
8 a decision as follows:

9 Certificate No. C-02469 issued to
10 respondent Terrance Chamberlain, M.D.
11 is revoked, provided, said revocation
12 is stayed and respondent is placed on
13 probation for seven (7) years upon the
14 following terms and conditions:

15 (a) Respondent is suspended from the practice of
16 medicine for one (1) year, effective retroactively to
17 November 12, 1982.

18 (b) Prior to resuming the active practice of
19 medicine, and on a periodic basis thereafter as may be required
20 by the Division or its designee, respondent shall undergo a
21 psychiatric evaluation by a division-appointed psychiatrist
22 who shall furnish a psychiatric report to the Division.
23 If it is determined pursuant to said evaluation that respondent
24 is in need of psychiatric treatment, then respondent shall
25 submit within thirty (30) days of notice from the Division
26 the name and qualifications of a psychiatrist of respondent's
27 choice. Upon approval by the Division of the treating

1 psychiatrist, respondent shall undergo and continue
2 psychiatric treatment until such treatment is no longer
3 indicated and respondent has been so notified by the Division.
4 Respondent shall have the treating psychiatrist submit quarterly
5 status reports to the Division.

6 (c) Within sixty (60) days after the expiration of
7 the one year suspension, respondent shall submit to the Division
8 for its prior approval a community service program in which
9 respondent shall provide free psychiatric services on a regular
10 basis to a community or charitable facility or agency. This
11 service shall be at the rate of four (4) hours per week, for
12 fifty (50) weeks of each of the first two years of probation
13 following approval.

14 (d) Within ninety (90) days of the expiration of
15 the one year suspension, and on an annual basis thereafter,
16 respondent shall submit to the Division for its prior approval
17 an educational program(s) or course(s) related to general
18 psychiatry, which shall not be less than a total of forty (40)
19 hours per year, for each year of probation following expiration
20 of the one year suspension. Such education shall be in addition
21 to the Continuing Medical Education requirements for relicensure.
22 Additionally, in the first year of probation following the
23 expiration of the one year suspension, respondent shall take an
24 educational program(s) or course(s) in the area of medical
25 ethics, which shall not be less than a total of fifteen (15)
26 hours, which program shall be in addition to the Continuing
27 Medical Education requirements for relicensure.

1 (e) Respondent shall obey all federal, state and
2 local laws pertaining to the practice of medicine and all rules
3 and regulations of the Board.

4 (f) Respondent shall submit quarterly declarations
5 under penalty of perjury on forms provided by the Division
6 stating whether there has been compliance with all conditions
7 of probation.

8 (g) Respondent shall comply with the Division's
9 probation surveillance program.

10 (h) Respondent shall appear in person for interviews
11 with the Division's medical consultant upon request at various
12 intervals and with reasonable notice.

13 (i) In the event respondent should leave California
14 to reside or to practice outside the state, he shall notify the
15 Division in writing of the dates of departure and return.
16 Periods of residency or practice outside of California shall
17 not apply to the reduction of this probationary period or to
18 the one year actual suspension of respondent's certificate.

19 (j) Upon successful completion of probation,
20 respondent's certificate shall be fully restored.

21 (k) If respondent violates probation in any
22 respect, the Division, after giving respondent notice and the
23 opportunity to be heard, may revoke probation and carry out the
24 disciplinary order that was stayed, or take such other action
25 that it deems appropriate in its discretion. If an accusation
26 or a petition to revoke probation is filed against respondent
27 during probation, the Division shall have continuing jurisdiction

1 until the matter is final, and the period of probation shall be
2 extended until the matter is final.

3 9. The parties hereto agree that the admissions and
4 terms and conditions set forth herein shall be null and void
5 and not binding upon them unless and until approved and
6 adopted by the Division.

7 10. The parties agree that the admissions contained
8 herein shall not be used for any purpose, by any persons,
9 except the parties hereto.

10

11 DATED: 9 Feb, 1983

Terrance Chamberlain
TERRANCE CHAMBERLAIN, M.D.
Respondent

12

13

14

15 DATED: Feb 9, 1983

Kenneth L. Freeman
KENNETH L. FREEMAN, Esq.
Attorney for Respondent

16

17

18

19 DATED: Feb 16, 1983

David M. Galie
DAVID M. GALIE
Deputy Attorney General
Attorney for Complainant

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GEORGE DEUKMEJIAN, Attorney General
of the State of California
DAVID M. GALIE
Deputy Attorney General
6000 State Building
San Francisco, California 94102
Telephone: (415) 557-0752

Attorneys for Complainant

BEFORE THE
BOARD OF MEDICAL QUALITY ASSURANCE
DIVISION OF MEDICAL QUALITY
STATE OF CALIFORNIA

In the Matter of the Accusation)

Against:)

TERRANCE CHAMBERLAIN, M.D.)
154 Pauahilani Place)
Kailua, Hawaii 96734)
License No. C-028469)

No. D-2849

ACCUSATION

Respondent.)

Robert Rowland, complainant herein charges and alleges
as follows:

1. That he is the Executive Director of the Board of
Medical Quality Assurance, Division of Medical Quality,
State of California (hereinafter referred to as "the Board")
and makes these charges and allegations in his official capacity
as such. All section references are to the Business and
Professions Code unless otherwise noted.

2. On or about September 22, 1966 certificate
No. C-28469 was issued by the Board to respondent. Said

certificate has been in a DELINQUENT status since July 1, 1981 for non-payment of renewal fees.

3. Beginning approximately on February 2, 1977 and possibly earlier, until about November 6, 1978, and possibly longer, respondent maintained the professional relationship of physician and patient with a female, L. R. As part of this professional relationship respondent undertook to care for and treat his patient's emotional and personal problems, on two occasions hospitalizing her for suicidal tendencies.

4. During this period of time while the physician-patient relationship was continuing, respondent permitted, fostered, and/or encouraged the physician-patient relationship to develop into a personal, physically intimate relationship, with sexual intercourse occurring intermittently during this period of time both at respondent's place of business and at various motels.

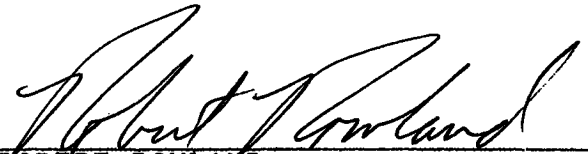
5. While patient L. R. was under respondent's professional care for her psychiatric problems she was impregnated by him and gave birth to a baby girl in June, 1978. Respondent and L. R. are each seeking custody in pending litigation.

6. The conduct alleged above constitutes unprofessional conduct in general under section 2234 (formerly section 2361); and constitutes gross negligence under section 2234(b) (formerly section 2361(b)). Grounds for disciplinary action exist under these sections.

//

1 WHEREFORE, complainant prays that under section 2230
2 a hearing be held and that the Board suspend or revoke
3 respondent's license or take such other or further action as
4 may be deemed just and proper.

5
6 DATED: _____


ROBERT ROWLAND,
Executive Director
Board of Medical Quality Assurance
Division of Medical Quality
State of California

Complainant

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/1/01 BY 60322
UCBA

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1 GEORGE DEUKMEJIAN, Attorney General
2 of the State of California
3 DAVID M. GALIE
4 Deputy Attorney General
5 6000 State Building
6 San Francisco, California 94102
7 Telephone: (415) 557-0752

REDACTED

8 Attorneys for Complainant

9 BEFORE THE
10 BOARD OF MEDICAL QUALITY ASSURANCE
11 DIVISION OF MEDICAL QUALITY
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation)

14 Against:)

15 TERRANCE CHAMBERLAIN, M.D.)
16 154 Pauahilani Place)
17 Kailua, Hawaii 96734)
License No. C-028469)

No. D-2849

SUPPLEMENTAL ACCUSATION

Respondent.)

18 ROBERT ROWLAND, complainant herein, supplements the
19 accusation presently on file in the above-numbered case by
20 charging and alleging in consecutively numbered paragraphs to
21 those in the accusation as follows:

22 7. From approximately June 1977 through July 1979
23 respondent had under his professional care a female named
24 Penelope C. During this therapist-patient relationship respondent
25 undertook to care for and treat his patient's emotional and
26 personal problems.

27 //

1 8. During this same time period respondent initiated,
2 encouraged, fostered and permitted a physically intimate
3 relationship to develop which included sexual intercourse.

4 9. The conduct as alleged in paragraph 8 above is
5 unprofessional conduct in general under section 2234 (formerly
6 section 2361) and is gross negligence under section 2234(b)
7 (formerly section 2361(b)). Grounds for discipline are stated
8 under those sections.

9 FOR A THIRD CAUSE FOR DISCIPLINARY ACTION

10 10. Complainant incorporates herein by reference the
11 charges and allegations in paragraphs 1 through 9.

12 11. On or about April 13, 1982 a felony complaint,
13 entitled "People of the State of California, Plaintiff against
14 Terry Chamberlain, M.D., Defendant" was filed in the Sonoma
15 County Municipal Court for the State of California bearing
16 municipal court No. 91055. A true and correct copy of that
17 complaint is attached to this Supplemental Accusation and marked
18 as Exhibit A.

19 12. This felony complaint charged respondent with 46
20 counts of felony violations of Penal Code section 72 and one
21 count of felony violation of Penal Code section 47(1) grand
22 theft.

23 13. Penal Code section 72 states in pertinent part:

24 "Every person who, with intent to defraud,
25 presents for allowance or for payment to any state
26 board or officer, or to any county, city, or district
27 board or officer, authorized to allow or pay the same
if genuine, any false or fraudulent claim, bill,
account, voucher, or writing, is punishable either by
imprisonment in the county jail for a period of not

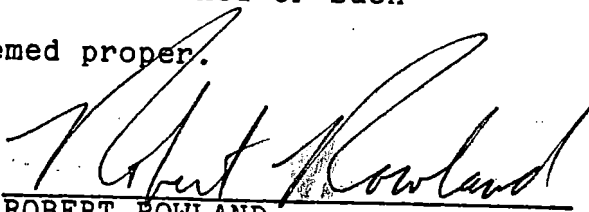
1 more than one year, by a fine of not exceeding
2 one thousand dollars (\$1,000), or by both such
3 imprisonment and fine, or by imprisonment in the
4 state prison, or by a fine of not exceeding ten
thousand dollars (\$10,000), or by such both
imprisonment and fine."

5 14. On or about July 7, 1982 respondent pled guilty
6 and was convicted thereof, to counts 26, 27, 28, 29 and 30 of
7 the complaint, each count being a misdemeanor violation of
8 Penal Code section 72. Counts 1 through 25 and counts 31 through
9 47 were dismissed. The amount of restitution was set at
10 \$5,036.86.

11 15. The conduct alleged in paragraphs 10 through 14
12 constitutes convictions of offenses substantially related to
13 the qualifications, functions or duties of a physician and
14 surgeon and is unprofessional conduct under section 2236(a).
15 Grounds for disciplinary action are stated under that section
16 in conjunction with section 2234.

17 WHEREFORE, complainant prays that a hearing be held
18 and respondent's license be suspended or revoked or such
19 other action be taken as may be deemed proper.

20
21 DATED: October 29, 1982


22 ROBERT ROWLAND
23 Executive Director
24 Board of Medical Quality
25 Assurance
26 Division of Medical Quality
27 State of California

Complainant

1 GEORGE DEUKMEJIAN
Attorney General
2 ROBERT H. PHILIBOSIAN
Chief Assistant Attorney General
3 Criminal Division
MARJORY WINSTON PARKER
4 Assistant Attorney General
Chief, Medi-Cal Fraud Unit
5 RODNEY DAIVS
Supervising Deputy Attorney General
6 Medi-Cal Fraud Unit
Sacramento and San Francisco
7 Regional Offices
2005 Evergreen Street, Suite 218
8 Sacramento, California 95815
Telephone: (916) 920-6478
9

10 Attorneys for Plaintiff

11 SONOMA COUNTY MUNICIPAL COURT

12 STATE OF CALIFORNIA

13 PEOPLE OF THE STATE OF CALIFORNIA,) MUNICIPAL COURT NO. 91055
14 Plaintiff,)
15 v.) ATTORNEY GENERAL NO.
16 TERRY CHAMBERLAIN, M.D.,) SF81MC0020
17 Defendant.) FELONY COMPLAINT
18

19 Personally appeared before me this ____ day of
20 _____, 1982, Marian Majestic, Investigator
21 No. 117 for the California Attorney General, who being first
22 duly sworn on oath, on information and belief complains and
23 says that the defendant did, on or about the following
24 dates, commit the following crimes:

25 COUNT 1

26 That on or about January 19, 1978, at and in the
27 County of Sonoma, State of California, the crime of

1.

EXHIBIT A

1 PRESENTING FALSE CLAIMS in violation of Penal Code section
2 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
3 willfully, unlawfully, and with intent to defraud, present to
4 Redwood Health Foundations and the State of California for
5 allowance or payment a false or fraudulent Medi-Cal claim for
6 furnishing services.

7 This count pertains to Medi-Cal claim number
8 [REDACTED]

9
10 COUNT 2

11 For a further and separate cause of complaint,
12 being a different offense of the same class of crimes and
13 offenses as the charges set forth in all preceding counts
14 hereof, complainant further complains and says:

15 That on or about January 19, 1978, at and in the
16 County of Sonoma, State of California, the crime of
17 PRESENTING FALSE CLAIMS in violation of Penal Code section
18 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
19 willfully, unlawfully, and with intent to defraud, present to
20 Redwood Health Foundations and the State of California for
21 allowance or payment a false or fraudulent Medi-Cal claim for
22 furnishing services.

23 This count pertains to Medi-Cal claim number
24 [REDACTED]

25
26 COUNT 3

27 For a further and separate cause of complaint,
being a different offense of the same class of crimes and

1 offenses as the charges set forth in all preceding counts
2 hereof, complainant further complains and says:

3 That on or about January 19, 1978, at and in the
4 County of Sonoma, State of California, the crime of
5 PRESENTING FALSE CLAIMS in violation of Penal Code section
6 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
7 willfully, unlawfully, and with intent to defraud, present to
8 Redwood Health Foundations and the State of California for
9 allowance or payment a false or fraudulent Medi-Cal claim for
10 furnishing services.

11 This count pertains to Medi-Cal claim number
12 [REDACTED]

13 COUNT 4

14 For a further and separate cause of complaint,
15 being a different offense of the same class of crimes and
16 offenses as the charges set forth in all preceding counts
17 hereof, complainant further complains and says:

18 That on or about February 26, 1978, at and in the
19 County of Sonoma, State of California, the crime of
20 PRESENTING FALSE CLAIMS in violation of Penal Code section
21 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
22 willfully, unlawfully, and with intent to defraud, present to
23 Redwood Health Foundations and the State of California for
24 allowance or payment a false or fraudulent Medi-Cal claim for
25 furnishing services.

26 This count pertains to Medi-Cal claim number
27 [REDACTED]

COUNT 5

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about March 2, 1978, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Redwood Health Foundations and the State of California for allowance or payment a false or fraudulent Medi-Cal claim for furnishing services.

This count pertains to Medi-Cal claim number

COUNT 6

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about May 11, 1978, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Redwood

1 Health Foundation and the State of California for allowance
2 or payment a false or fraudulent Medi-Cal claim for
3 furnishing services.

4 This count pertains to Medi-Cal claim number
5 [REDACTED]

6 COUNT 7

7 For a further and separate cause of complaint,
8 being a different offense of the same class of crimes and
9 offenses as the charges set forth in all preceding counts
10 hereof, complainant further complains and says:

11 That on or about June 7, 1978, at and in the County
12 of Sonoma, State of California, the crime of PRESENTING FALSE
13 CLAIMS in violation of Penal Code section 72, a FELONY, was
14 committed by TERRY CHAMBERLAIN, who did willfully,
15 unlawfully, and with intent to defraud, present to Redwood
16 Health Foundations and the State of California for allowance
17 or payment a false or fraudulent Medi-Cal claim for
18 furnishing services.

19 This count pertains to Medi-Cal claim number
20 [REDACTED]

21 COUNT 8

22 For a further and separate cause of complaint,
23 being a different offense of the same class of crimes and
24 offenses as the charges set forth in all preceding counts
25 hereof, complainant further complains and says:

26 That on or about September 25, 1978, at and in the
27 County of Sonoma, State of California, the crime of

1 PRESENTING FALSE CLAIMS in violation of Penal Code section
2 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
3 willfully, unlawfully, and with intent to defraud, present to
4 Redwood Health Foundations and the State of California for
5 allowance or payment a false or fraudulent Medi-Cal claim for
6 furnishing services.

7 This count pertains to Medi-Cal claim number
8 [REDACTED]

9 COUNT 9

10 For a further and separate cause of complaint,
11 being a different offense of the same class of crimes and
12 offenses as the charges set forth in all preceding counts
13 hereof, complainant further complains and says:

14 That on or about September 11, 1978, at and in the
15 County of Sonoma, State of California, the crime of
16 PRESENTING FALSE CLAIMS in violation of Penal Code section
17 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
18 willfully, unlawfully, and with intent to defraud, present to
19 Redwood Health Foundations and the State of California for
20 allowance or payment a false or fraudulent Medi-Cal claim for
21 furnishing services.

22 This count pertains to Medi-Cal claim number
23 [REDACTED]

24 COUNT 10

25 For a further and separate cause of complaint,
26 being a different offense of the same class of crimes and
27 /

1 offenses as the charges set forth in all preceding counts
2 hereof, complainant further complains and says:

3 That on or about October 25, 1978, at and in the
4 County of Sonoma, State of California, the crime of
5 PRESENTING FALSE CLAIMS in violation of Penal Code section
6 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
7 willfully, unlawfully, and with intent to defraud, present to
8 Redwood Health Foundations and the State of California for
9 allowance or payment a false or fraudulent Medi-Cal claim for
10 furnishing services.

11 This count pertains to Medi-Cal claim number
12 [REDACTED]

13 COUNT 11

14 For a further and separate cause of complaint,
15 being a different offense of the same class of crimes and
16 offenses as the charges set forth in all preceding counts
17 hereof, complainant further complains and says:

18 That on or about October 5, 1977, at and in the
19 County of Sonoma, State of California, the crime of
20 PRESENTING FALSE CLAIMS in violation of Penal Code section
21 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
22 willfully, unlawfully, and with intent to defraud, present to
23 Redwood Health Foundations and the State of California for
24 allowance or payment a false or fraudulent Medi-Cal claim for
25 furnishing services.

26 This count pertains to Medi-Cal claim number
27 [REDACTED]

COUNT 12

For a further and separate cause of complaint being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about October 11, 1977, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Blue Shield of California and the State of California for allowance or payment a false or fraudulent Medi-Cal claim for furnishing services.

This count pertains to Medi-Cal claim number

COUNT 13

For a further and separate cause of complaint being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about November 8, 1977, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Blue Shield of California and the State of California

1 for allowance or payment a false or fraudulent Medi-Cal
2 claim for furnishing services.

3 This count pertains to Medi-Cal claim number
4 [REDACTED]

5 COUNT 14

6 For a further and separate cause of complaint
7 being a different offense of the same class of crimes and
8 offenses as the charges set forth in all preceding counts
9 hereof, complainant further complains and says:

10 That on or about March 28, 1978, at and in the
11 County of Sonoma, State of California, the crime of
12 PRESENTING FALSE CLAIMS in violation of Penal Code section
13 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
14 willfully, unlawfully, and with intent to defraud, present
15 to Blue Shield of California and the State of California
16 for allowance or payment a false or fraudulent Medi-Cal
17 claim for furnishing services.

18 This count pertains to Medi-Cal claim number
19 [REDACTED]

20 COUNT 15

21 For a further and separate cause of complaint
22 being a different offense of the same class of crimes and
23 offenses as the charges set forth in all preceding counts
24 hereof, complainant further complains and says:

25 That on or about May 3, 1978, at and in the
26 County of Sonoma, State of California, the crime of
27 PRESENTING FALSE CLAIMS in violation of Penal Code section

1 72, a FELONY, (s committed by TERRY CHAM RLAIN, who did
2 willfully, unlawfully, and with intent to defraud, present
3 to Blue Shield of California and the State of California
4 for allowance or payment a false or fraudulent Medi-Cal
5 claim for furnishing services.

6 This count pertains to Medi-Cal claim number
7 [REDACTED]

8 COUNT 16

9 For a further and separate cause of complaint
10 being a different offense of the same class of crimes and
11 offenses as the charges set forth in all preceding counts
12 hereof, complainant further complains and says:

13 That on or about May 3, 1978, at and in the
14 County of Sonoma, State of California, the crime of
15 PRESENTING FALSE CLAIMS in violation of Penal Code section
16 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
17 willfully, unlawfully, and with intent to defraud, present
18 to Blue Shield of California and the State of California
19 for allowance or payment a false or fraudulent Medi-Cal
20 claim for furnishing services.

21 This count pertains to Medi-Cal claim number
22 [REDACTED]

23 COUNT 17

24 For a further and separate cause of complaint
25 being a different offense of the same class of crimes and
26 offenses as the charges set forth in all preceding counts
27 hereof, complainant further complains and says:

1 That or about May 3, 1978, at and in the
2 County of Sonoma, State of California, the crime of
3 PRESENTING FALSE CLAIMS in violation of Penal Code section
4 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
5 willfully, unlawfully, and with intent to defraud, present
6 to Blue Shield of California and the State of California
7 for allowance or payment a false or fraudulent Medi-Cal
8 claim for furnishing services.

9 This count pertains to Medi-Cal claim number

10 [REDACTED]

11 COUNT 18

12 For a further and separate cause of complaint
13 being a different offense of the same class of crimes and
14 offenses as the charges set forth in all preceding counts
15 hereof, complainant further complains and says:

16 That on or about May 11, 1978, at and in the
17 County of Sonoma, State of California, the crime of
18 PRESENTING FALSE CLAIMS in violation of Penal Code section
19 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
20 willfully, unlawfully, and with intent to defraud, present
21 to Blue Shield of California and the State of California
22 for allowance or payment a false or fraudulent Medi-Cal
23 claim for furnishing services.

24 This count pertains to Medi-Cal claim number

25 [REDACTED]

26

27

COUNT 19

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about May 11, 1978, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Blue Shield of California and the State of California for allowance or payment a false or fraudulent Medi-Cal claim for furnishing services.

This count pertains to Medi-Cal claim number

COUNT 20

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about July 5, 1978, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present

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1 to Blue Shield of California and the State of California for
2 allowance or payment a false or fraudulent Medi-Cal claim for
3 furnishing services.

4 This count pertains to Medi-Cal claim number
5 [REDACTED]

6 COUNT 21

7 For a further and separate cause of complaint,
8 being a different offense of the same class of crimes and
9 offenses as the charges set forth in all preceding counts
10 hereof, complainant further complains and says:

11 That on or about August 21, 1978, at and in the
12 County of Sonoma, State of California, the crime
13 of PRESENTING FALSE CLAIMS in violation of Penal Code section
14 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
15 willfully, unlawfully, and with intent to defraud, present
16 to Blue Shield of California and the State of California for
17 allowance or payment a false or fraudulent Medi-Cal claim for
18 furnishing services.

19 This count pertains to Medi-Cal claim number
20 [REDACTED]

21 COUNT 22

22 For a further and separate cause of complaint,
23 being a different offense of the same class of crimes and
24 offenses as the charges set forth in all preceding counts
25 hereof, complainant further complains and says:

26 That on or about July 5, 1978, at and in the
27 County of Sonoma, State of California, the crime of

1 PRESENTING FALSE CLAIMS in violation of Penal Code section
2 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
3 willfully, unlawfully, and with intent to defraud, present
4 to Blue Shield of California and the State of California for
5 allowance or payment a false or fraudulent Medi-Cal claim for
6 furnishing services.

7 This count pertains to Medi-Cal claim number
8 [REDACTED]

9
10 COUNT 23

11 For a further and separate cause of complaint,
12 being a different offense of the same class of crimes and
13 offenses as the charges set forth in all preceding counts
14 hereof, complainant further complains and says:

15 That on or about September 11, 1978, at and in the
16 County of Sonoma, State of California, the crime
17 of PRESENTING FALSE CLAIMS in violation of Penal Code section
18 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
19 willfully, unlawfully, and with intent to defraud, present
20 to Blue Shield of California and the State of California for
21 allowance or payment a false or fraudulent Medi-Cal claim for
22 furnishing services.

23 This count pertains to Medi-Cal claim number
24 [REDACTED]

25
26 COUNT 24

27 For a further and separate cause of complaint,
being a different offense of the same class of crimes and

1 offenses as the charges set forth in all preceding counts
2 hereof, complainant further complains and says:

3 That on or about September 11, 1978, at and in the
4 County of Sonoma, State of California, the crime of
5 PRESENTING FALSE CLAIMS in violation of Penal Code section
6 72, a FELONY, was committed by TERRY CHAMBEPLAIN, who did
7 willfully, unlawfully, and with intent to defraud, present
8 to Blue Shield of California and the State of California for
9 allowance or payment a false or fraudulent Medi-Cal claim for
10 furnishing services.

11 This count pertains to Medi-Cal claim number
12 [REDACTED]

13 COUNT 25

14 For a further and separate cause of complaint,
15 being a different offense of the same class of crimes and
16 offenses as the charges set forth in all preceding counts
17 hereof, complainant further complains and says:

18 That on or about September 12, 1978, at and in the
19 County of Sonoma, State of California, the crime of
20 PRESENTING FALSE CLAIMS in violation of Penal Code section
21 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
22 willfully, unlawfully, and with intent to defraud, present
23 to Blue Shield of California and the State of California for
24 allowance of payment a false or fraudulent Medi-Cal claim for
25 furnishing services.

26 This count pertains to Medi-Cal claim number
27 [REDACTED]

COUNT 26

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about September 11, 1978, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Redwood Health Foundations and the State of California for allowance or payment a false or fraudulent Medi-Cal claim for furnishing services.

This count pertains to Medi-Cal claim number

COUNT 27

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about September 11, 1978, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to

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1 Redwood Health Foundations and the State of California for
2 allowance or payment a false or fraudulent Medi-Cal claim for
3 furnishing services.

4 This count pertains to Medi-Cal claim number
5 [REDACTED]

6 COUNT 28

7 For a further and separate cause of complaint,
8 being a different offense of the same class of crimes and
9 offenses as the charges set forth in all preceding counts
10 hereof, complainant further complains and says:

11 That on or about September 11, 1978, at and in the
12 County of Sonoma, State of California, the crime of
13 PRESENTING FALSE CLAIMS in violation of Penal Code section
14 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
15 willfully, unlawfully, and with intent to defraud, present to
16 Redwood Health Foundations and the State of California for
17 allowance or payment a false or fraudulent Medi-Cal claim for
18 furnishing services.

19 This count pertains to Medi-Cal claim number
20 [REDACTED]

21 COUNT 29

22 For a further and separate cause of complaint,
23 being a different offense of the same class of crimes and
24 offenses as the charges set forth in all preceding counts
25 hereof, complainant further complains and says:

26 That on or about January 9, 1979, at and in the
27 County of Sonoma, State of California, the crime of

1 PRESENTING FALSE CLAIMS in violation of Penal Code section
2 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
3 willfully, unlawfully, and with intent to defraud, present to
4 Redwood Health Foundations and the State of California for
5 allowance or payment a false or fraudulent Medi-Cal claim for
6 furnishing services.

7 This count pertains to Medi-Cal claim number
8 [REDACTED]

9
10 COUNT 30

11 For a further and separate cause of complaint,
12 being a different offense of the same class of crimes and
13 offenses as the charges set forth in all preceding counts
14 hereof, complainant further complains and says:

15 That on or about January 9, 1979, at and in the
16 County of Sonoma, State of California, the crime of
17 PRESENTING FALSE CLAIMS in violation of Penal Code section
18 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
19 willfully, unlawfully, and with intent to defraud, present to
20 Redwood Health Foundations and the State of California for
21 allowance or payment a false or fraudulent Medi-Cal claim for
22 furnishing services.

23 This count pertains to Medi-Cal claim number
24 [REDACTED]

25
26 COUNT 31

27 For a further and separate cause of complaint,
being a different offense of the same class of crimes and
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1 offenses as to charges set forth in all preceding counts
2 hereof, complainant further complains and says:

3 That on or about February 22, 1979, at and in the
4 County of Sonoma, State of California, the crime of
5 PRESENTING FALSE CLAIMS in violation of Penal Code section
6 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
7 willfully, unlawfully, and with intent to defraud, present to
8 Redwood Health Foundations and the State of California for
9 allowance or payment a false or fraudulent Medi-Cal claim for
10 furnishing services.

11 This count pertains to Medi-Cal claim number
12 [REDACTED]

13 COUNT 32

14 For a further and separate cause of complaint,
15 being a different offense of the same class of crimes and
16 offenses as the charges set forth in all preceding counts
17 hereof, complainant further complains and says:

18 That on or about February 22, 1979, at and in the
19 County of Sonoma, State of California, the crime of
20 PRESENTING FALSE CLAIMS in violation of Penal Code section
21 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
22 willfully, unlawfully, and with intent to defraud, present to
23 Redwood Health Foundations and the State of California for
24 allowance or payment a false or fraudulent Medi-Cal claim for
25 furnishing services.

26 This count pertains to Medi-Cal claim number
27 [REDACTED]

COUNT 33

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about March 15, 1979, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Redwood Health Foundations and the State of California for allowance or payment a false or fraudulent Medi-Cal claim for furnishing services.

This count pertains to Medi-Cal claim number

COUNT 34

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about March 15, 1979, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Redwood

1 Health Foundation and the State of California for allowance
2 or payment a false or fraudulent Medi-Cal claim for
3 furnishing services.

4 This count pertains to Medi-Cal claim number
5 [REDACTED]

6 COUNT 35

7 For a further and separate cause of complaint,
8 being a different offense of the same class of crimes and
9 offenses as the charges set forth in all preceding counts
10 hereof, complainant further complains and says:

11 That on or about May 23, 1979, at and in the County
12 of Sonoma, State of California, the crime of PRESENTING FALSE
13 CLAIMS in violation of Penal Code section 72, a FELONY, was
14 committed by TERRY CHAMBERLAIN, who did willfully,
15 unlawfully, and with intent to defraud, present to Redwood
16 Health Foundations and the State of California for allowance
17 or payment a false or fraudulent Medi-Cal claim for
18 furnishing services.

19 This count pertains to Medi-Cal claim number
20 [REDACTED]

21 COUNT 36

22 For a further and separate cause of complaint,
23 being a different offense of the same class of crimes and
24 offenses as the charges set forth in all preceding counts
25 hereof, complainant further complains and says:

26 That on or about May 23, 1979, at and in the County
27 of Sonoma, State of California, the crime of PRESENTING FALSE

1 CLAIMS in viol on of Penal Code section (), a FELONY, was
2 committed by TERRY CHAMBERLAIN, who did willfully,
3 unlawfully, and with intent to defraud, present to Redwood
4 Health Foundations and the State of California for allowance
5 or payment a false or fraudulent Medi-Cal claim for
6 furnishing services.

7 This count pertains to Medi-Cal claim number
8 [REDACTED]

9 COUNT 37

10 For a further and separate cause of complaint,
11 being a different offense of the same class of crimes and
12 offenses as the charges set forth in all preceding counts
13 hereof, complainant further complains and says:

14 That on or about May 23, 1979, at and in the County
15 of Sonoma, State of California, the crime of PRESENTING FALSE
16 CLAIMS in violation of Penal Code section 72, a FELONY, was
17 committed by TERRY CHAMBERLAIN, who did willfully,
18 unlawfully, and with intent to defraud, present to Redwood
19 Health Foundations and the State of California for allowance
20 or payment a false or fraudulent Medi-Cal claim for
21 furnishing services.

22 This count pertains to Medi-Cal claim number
23 [REDACTED]

24 COUNT 38

25 For a further and separate cause of complaint,
26 being a different offense of the same class of crimes and
27 /

1 offenses as the charges set forth in all preceding counts
2 hereof, complainant further complains and says:

3 That on or about May 23, 1979, at and in the County
4 of Sonoma, State of California, the crime of PRESENTING FALSE
5 CLAIMS in violation of Penal Code section 72, a FELONY, was
6 committed by TERRY CHAMBERLAIN, who did willfully,
7 unlawfully, and with intent to defraud, present to Redwood
8 Health Foundations and the State of California for allowance
9 or payment a false or fraudulent Medi-Cal claim for
10 furnishing services.

11 This count pertains to Medi-Cal claim number
12 [REDACTED]

13 COUNT 39

14 For a further and separate cause of complaint,
15 being a different offense of the same class of crimes and
16 offenses as the charges set forth in all preceding counts
17 hereof, complainant further complains and says:

18 That on or about June 13, 1979, at and in the
19 County of Sonoma, State of California, the crime of
20 PRESENTING FALSE CLAIMS in violation of Penal Code section
21 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
22 willfully, unlawfully, and with intent to defraud, present to
23 Redwood Health Foundations and the State of California for
24 allowance or payment a false or fraudulent Medi-Cal claim for
25 furnishing services.

26 This count pertains to Medi-Cal claim number
27 [REDACTED]

COUNT 40

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about June 13, 1979, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Redwood Health Foundations and the State of California for allowance or payment a false or fraudulent Medi-Cal claim for furnishing services.

This count pertains to Medi-Cal claim number

[REDACTED]

COUNT 41

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof, complainant further complains and says:

That on or about July 9, 1979, at and in the County of Sonoma, State of California, the crime of PRESENTING FALSE CLAIMS in violation of Penal Code section 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did willfully, unlawfully, and with intent to defraud, present to Redwood

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1 Health Foundat(s and the State of Califo(a for allowance
2 or payment a false or fraudulent Medi-Cal claim for
3 furnishing services.

4 This count pertains to Medi-Cal claim number
5 [REDACTED]

6 COUNT 42

7 For a further and separate cause of complaint,
8 being a different offense of the same class of crimes and
9 offenses as the charges set forth in all preceding counts
10 hereof, complainant further complains and says:

11 That on or about July 9, 1979, at and in the County
12 of Sonoma, State of California, the crime of PRESENTING FALSE
13 CLAIMS in violation of Penal Code section 72, a FELONY, was
14 committed by TERRY CHAMBERLAIN, who did willfully,
15 unlawfully, and with intent to defraud, present to Redwood
16 Health Foundations and the State of California for allowance
17 or payment a false or fraudulent Medi-Cal claim for
18 furnishing services.

19 This count pertains to Medi-Cal claim number
20 [REDACTED]

21 COUNT 43

22 For a further and separate cause of complaint,
23 being a different offense of the same class of crimes and
24 offenses as the charges set forth in all preceding counts
25 hereof, complainant further complains and says:

26 That on or about August 13, 1979, at and in the
27 County of Sonoma, State of California, the crime of

1 PRESENTING FALSE CLAIMS in violation of Penal Code section
2 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
3 willfully, unlawfully, and with intent to defraud, present to
4 Redwood Health Foundations and the State of California for
5 allowance or payment a false or fraudulent Medi-Cal claim for
6 furnishing services.

7 This count pertains to Medi-Cal claim number
8 [REDACTED]

9 COUNT 44

10 For a further and separate cause of complaint,
11 being a different offense of the same class of crimes and
12 offenses as the charges set forth in all preceding counts
13 hereof, complainant further complains and says:

14 That on or about August 13, 1979, at and in the
15 County of Sonoma, State of California, the crime of
16 PRESENTING FALSE CLAIMS in violation of Penal Code section
17 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
18 willfully, unlawfully, and with intent to defraud, present to
19 Redwood Health Foundations and the State of California for
20 allowance or payment a false or fraudulent Medi-Cal claim for
21 furnishing services.

22 This count pertains to Medi-Cal claim number
23 [REDACTED]

24 COUNT 45

25 For a further and separate cause of complaint,
26 being a different offense of the same class of crimes and
27 /

1 offenses as the charges set forth in all preceding counts
2 hereof, complainant further complains and says:

3 That on or about September 25, 1979, at and in the
4 County of Sonoma, State of California, the crime of
5 PRESENTING FALSE CLAIMS in violation of Penal Code section
6 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
7 willfully, unlawfully, and with intent to defraud, present to
8 Redwood Health Foundations and the State of California for
9 allowance or payment a false or fraudulent Medi-Cal claim for
10 furnishing services.

11 This count pertains to Medi-Cal claim number
12 [REDACTED]

13 COUNT 46

14 For a further and separate cause of complaint,
15 being a different offense of the same class of crimes and
16 offenses as the charges set forth in all preceding counts
17 hereof, complainant further complains and says:

18 That on or about September 25, 1979, at and in the
19 County of Sonoma, State of California, the crime of
20 PRESENTING FALSE CLAIMS in violation of Penal Code section
21 72, a FELONY, was committed by TERRY CHAMBERLAIN, who did
22 willfully, unlawfully, and with intent to defraud, present to
23 Redwood Health Foundations and the State of California for
24 allowance or payment a false or fraudulent Medi-Cal claim for
25 furnishing services.

26 This count pertains to Medi-Cal claim number
27 [REDACTED]

That on or about and between September 1, 1977 and September 30, 1979, at and in the County of Sonoma, State of California, the crime of GRAND THEFT, in violation of California Penal Code section 487, subdivision 1, a FELONY was committed by TERRY CHAMBERLAIN who, at the time and place last aforesaid, did willfully, unlawfully, and feloniously take the money and personal property of another, of a value exceeding two hundred dollars (\$200), the property of Redwood Health Foundations, Blue Shield of California, and the State of California.

The offenses described herein were first discovered on or after October 21, 1979, the day an article appeared in the Press Democrat disclosing that Medi-Cal recipient Linda R [REDACTED] filed a law suit against the defendant alleging he had sexual intercourse with her during her appointment times. Following receipt of the article, the Board of Medical Quality Assurance opened an investigation concerning the defendant's alleged conduct with Linda R [REDACTED]. On July 21, 1981, the Board of Medical Quality Assurance referred the matter to the Attorney General's Medi-Cal Fraud Unit. I have since interviewed Linda R [REDACTED] and a number of Medi-Cal beneficiaries the defendant billed for, and I have compared their statements with Medi-Cal paid history records. Prior to making this comparison, there was no reason to believe that the Medi-Cal claims submitted by

1 the defendant, which were regular on their face and contained
2 a certification by the defendant or his authorized representa-
3 tive, were false or fraudulent and submitted with intent to
4 defraud.

5 Executed at San Francisco, California,
6 this 12th day of April, 1982. I declare under
7 penalty of perjury that the foregoing is true and correct to
8 the best of my knowledge.

9
10 Marion H. Heston
11 Complainant

12 Subscribed and sworn to before me this 12th day of
13 April, 1982.

14 Respectfully submitted

15 GEORGE DEUMFRIAN
16 Attorney General

17
18 By Rodney Davis
19 RODNEY DAVIS
20 Supervising Deputy Attorney General
21 Medi-Cal Fraud Unit
22 Sacramento and San Francisco
23 Regional Offices
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